

FORM PTO-1390 (REV 12-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEYS DOCKET NUMBER 701039-53522	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	
				10/577,167	
INTERNATIONAL APPLICATION NO. PCT/US2004/035874		INTERNATIONAL FILING DATE 28 October 2004 (28.10.2004)		PRIORITY DATE CLAIMED 29 October 2003 (29.10.2003)	
TITLE OF INVENTION METHOD OF INHIBITING REJECTION FOLLOWING ORGAN TRANSPLANT					
APPLICANT(S) FOR DO/EO/US BRISCOE, et al.					
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Declaration and Power of Attorney) 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Certificate of Express Mailing, COPY – Transfer of Sequence Listing from parent 					

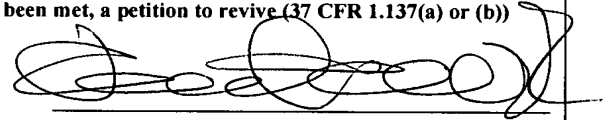
INTERNATIONAL APPLICATION NO. PCT/US2004/035874		INTERNATIONAL FILING DATE 28 October 2004 (28.10.2004)		PRIORITY DATE CLAIMED 29 October 2003 (29.10.2003)	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....				\$	
22. <input type="checkbox"/> Examination fee.....				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....					
All other situations.....					
23. <input type="checkbox"/> Search fee.....				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....					
All other situations.....					
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	25 - 20 =	5	x \$50.00	\$	
Independent claims	8 - 3 =	5	x \$200.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				Amount to be charged:	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0850 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0850. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

NIXON PEABODY LLP
100 Summer Street
Boston, Massachusetts 02110-2131



SIGNATURE

David S. Resnick/Leena H. Karttunen

NAME

34,235/60,335

REGISTRATION NUMBER

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0850 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
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David S. Resnick/Leena H. Karttunen

NAME

34,235/60,335

REGISTRATION NUMBER

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/US2004/035874	28.10.2004 28 October 2004	29.10.2003 29 October 2003

TITLE OF INVENTION:

METHOD OF INHIBITING REJECTION

APPLICANT FOR DO/US:

FOLLOWING ORGAN TRANSPLANTATION
CHILDREN'S MEDICAL CENTER CORPORATION,
et al.

INVENTOR(S)/APPLICANT(S) FOR US: David M. Briscoe et al.

U.S. SERIAL NUMBER: 10/577,167

MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

VERIFIED CERTIFICATION OF EXPRESS MAILING DATE

(37 C.F.R. § 1.10(c))

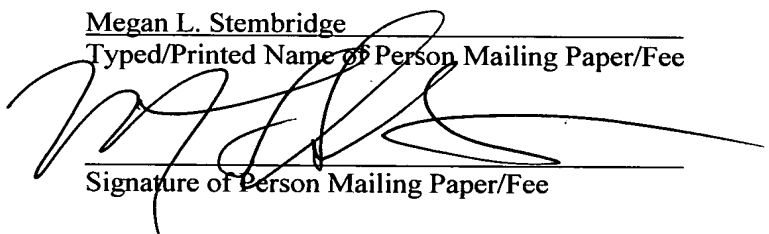
I declare that, on May 8, 2007, I deposited, with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number EV 652 980 168 US, addressed to the "Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," and having an express mail certification that I executed, the following papers:

1. Express Mail Certificate No. EV 652 980 168 US (1 pg.);
2. Transmittal Letter to U.S. Receiving Office Form 1390 – Page 3 in duplicate (1 pg.);
3. COPY – Notification of Missing Requirements (2 pp.);
4. Response to Notification of Missing Requirements (2 pp.);
5. COPY – Transfer of Sequence Listing as filed on April 26, 2006 (2 pp.);
6. COPY – Executed Declaration and Power of Attorney (6 pp.);
7. Return Receipt Postcard.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Megan L. Stembridge

Typed/Printed Name of Person Mailing Paper/Fee


Signature of Person Mailing Paper/Fee



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/577,167	David M. Briscoe	701039-53522

INTERNATIONAL APPLICATION NO.

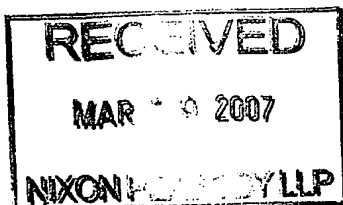
PCT/US04/35874

I.A. FILING DATE	PRIORITY DATE
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10/28/2004

10/29/2003

David S. Resnick
 Nixon Peabody
 100 Summer Street
 Boston, MA 02110



CONFIRMATION NO. 1419

371 FORMALITIES LETTER



OC000000022879159

Date Mailed: 03/14/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/26/2006
- Copy of the International Search Report filed on 04/26/2006
- Preliminary Amendments filed on 04/26/2006
- Information Disclosure Statements filed on 04/26/2006
- Oath or Declaration filed on 04/26/2006
- Biochemical Sequence Listing filed on 04/26/2006
- Request for Immediate Examination filed on 04/26/2006
- U.S. Basic National Fees filed on 04/26/2006
- Priority Documents filed on 04/26/2006
- Specification filed on 04/26/2006
- Claims filed on 04/26/2006
- Abstracts filed on 04/26/2006
- Drawings filed on 04/26/2006
- Paper nucleotide sequence listings filed on 04/26/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37

CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

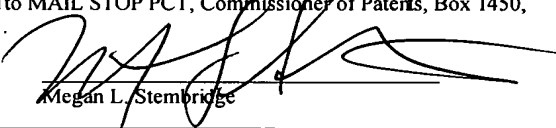
PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/577,167	PCT/US04/35874	701039-53522

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/US2004/035874	28.10.2004 28 October 2004	29.10.2003 29 October 2003

TITLE OF INVENTION: METHOD OF INHIBITING REJECTION
FOLLOWING ORGAN TRANSPLANTATION
APPLICANT FOR DO/US: CHILDREN'S MEDICAL CENTER CORPORATION,
et al.
INVENTOR(S)/APPLICANT(S) FOR US: David M. Briscoe et al.
U.S. SERIAL NUMBER: 10/577,167

<p align="center">CERTIFICATE OF EXPRESS MAILING UNDER (37 C.F.R. § 1.10(c))</p> <p>I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as Express Mail Label No. <u>EV 652 980 168</u> US in an envelope addressed to MAIL STOP PCT, Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450.</p> <p>Date: May <u>8</u>, 2007</p> <p align="right"> Megan L. Stembridge</p>

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

Dear Sir,

This present submission is being filed in response to the Notification of Missing Requirements under 35 C.F.R. 371 (DO/EO/US) dated March 14, 2007, a copy of which is enclosed.

Applicants enclose a copy of the executed declaration/power of attorney.

The Applicants note that a request for transfer of sequence listing from the parent PCT application was filed together with the national stage entry on April 26, 2006, a copy of which is enclosed herewith. Accordingly, the Applicants respectfully submit that additional copies are not necessary. Should there be a need for a duplicate sequence listing, the Applicants respectfully request that the Office inform the Applicants promptly.

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/US2004/035874	28.10.2004 28 October 2004	29.10.2003 29 October 2003

TITLE OF INVENTION:
APPLICANT FOR DO/US:
INVENTOR(S)/APPLICANT(S) FOR US:
U.S. SERIAL NUMBER:

METHOD OF INHIBITING REJECTION FOLLOWING ORGAN TRANSPLANTATION
CHILDREN'S MEDICAL CENTER CORPORATION, et al.
David M. Briscoe et al.
10/577,167

FEE DEFICIENCY

If any additional extension and/or fee is required, charge NIXON PEABODY LLP
Deposit Account No.: 50-0850.

If the Examiner has any questions with this communication, the Examiner is invited to
telephone the undersigned at (617) 345-1367.

Respectfully submitted,

Date: May 8, 2007



David S. Resnick (Reg. No. 34,235)
Leena H. Karttunen (Reg. No. 60,335)
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02131
Telephone: (617) 345-6057/1367
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